UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 13 2007

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Robert D. Wilson, Director
Environmental Operations, NY
KeySpan Corporation
175 East Old County Road
Hicksville, New York 11801-4280

Dear Mr. Wilson:

I am writing to notify you of EPA's approval of alternative decontamination activities under 40 CFR 761.79(h) by KeySpan Corporation (KeySpan) to remove polychlorinated biphenyls (PCBs) from metallic pipe or piping using a non-thermal soaking technology. The approval is based upon the Agency's conclusion that the PCB decontamination activities as demonstrated to EPA and performed according to procedures set forth in the Demonstration Test Plan will not pose an unreasonable risk of injury to health or the environment.

The KeySpan PCB decontamination system ("KeySpan process") is described in KeySpan's approval application entitled "Alternate Decontamination Test Plan for PCB Contaminated Natural Gas Piping and Appurtenances Utilizing a Soaking Method with Aqueous Terpene Hydrocarbon Solvent." The demonstration test took place at the KeySpan Greenpoint Facility, Brooklyn, New York, during the week of September 26, 2005. A copy of KeySpan's demonstration report submitted on October 28, 2005 is on file in our office.

The Office of Pollution Prevention and Toxics (OPPT) has reviewed results from the KeySpan Demonstration Test Report submitted on October 28, 2005. The results from the demonstration indicated that KeySpan can successfully clean metallic pipe or metallic piping to levels below 10 micrograms per 100 cm^2, which is the applicable decontamination standard for nonporous surfaces under 40 CFR 761.79(b)(3)(i)(A).

EPA witnessed and inspected the KeySpan operation during the demonstration and verified the ability of the KeySpan process to safely and effectively perform the above-mentioned decontamination activities at facilities, including natural gas pipelines, which historically contained PCBs, without resulting in the release of PCBs to the environment.

EPA finds that the proposed decontamination method will not pose an unreasonable risk of injury to health or the environment. Accordingly, EPA is approving this decontamination method for certain facilities pursuant to the requirements of 40 CFR 761.79(h) (5). These facilities are listed in Appendix III (enclosed).

This KeySpan PCB decontamination approval authorizing KeySpan to operate nationwide shall become effective today and will remain effective for five years from signature. This approval may be withdrawn or modified to add further conditions at any time EPA has reason to believe that operation of the KeySpan process presents an unreasonable risk of injury to health or the environment. In addition, EPA reserves the right to withdraw this approval or impose further conditions as the result of future EPA rulemaking with respect to PCBs. Moreover, violation of any condition included as part of this approval may subject KeySpan to enforcement action and/or suspension or revocation of the approval.

It is the responsibility of KeySpan to comply with all applicable provisions of TSCA and the Federal PCB Regulations at 40 CFR 761 in cleaning natural gas pipelines as specified in the approval. Violation of any applicable provisions or conditions of the approval, EPA's determination of misrepresentation of material fact in the application and supporting material, or demonstration of past willful and knowing violations of environmental regulations may be cause for rescission of this approval.

With the issuance of this Approval, Keyspan has submitted financial assurance information as required by 40 CFR § 761 Subpart D, (referencing 40 CFR § 264 Subpart H) and will address the applicable conditions regarding the financial assurance provisions spelled out in this Approval document.

Furthermore, this approval does not relieve KeySpan of the responsibility to comply with all other applicable Federal, State, and local regulations and ordinances regarding the transportation, siting, operation, disposal of wastes, and the maintenance of the PCBs to be decontaminated by the KeySpan process.

EPA reserves the right to inspect the KeySpan process, at any of its facilities that are using the decontamination process and the records which KeySpan is required to maintain under the Federal PCB Regulations and this approval.

Please contact Winston Lue of my staff at (202) 566-0511 if you have any questions pertaining to this approval.

Sincerely,

Maria J. Doa

Maria J. Doa, Ph.D.
Director
National Program Chemicals Division

Enclosures

cc:
Commissioner Lisa P. Jackson, New Jersey Department of Environmental Protection
Commissioner Pete Grannis, New York State Department of Environmental Conservation
Commissioner Arleen O'Donnell, Massachusetts Department of Environmental Protection
Kim Tisa, USEPA, Region 1
Jim Haklar, USEPA, Region 2

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF	)	**APPROVAL TO DECONTAMINATE**
	)	
KEYSPAN CORPORATION	)	**POLYCHLORINATED**
	)	
175 EAST OLD COUNTRY ROAD	)	**BIPHENYLS (PCBs),**
	)	
	)	
HICKSVILLE, NY 11801	)	

AUTHORITY

This approval is issued pursuant to Section 6 (e) (1) of the Toxic Substances Control Act of 1976 (TSCA), 15 U.S.C. §2605(e)(1), and the Federal PCB Regulations, 40 CFR 761.79 (h) (63 FR 35384, June 29, 1998). Background and findings related to this approval are attached as Appendix I.

EFFECTIVE DATE

KeySpan Corporation (KeySpan) is the sole owner of a non-thermal solvent soaking technology ("KeySpan Process") using KeySpan PCB Decontamination Units (KDUs), where PCBs are removed from Metallic Pipe or Metallic Piping using one or more KDUs. Pursuant to 40 CFR 761.79(h) and when operated in accordance with the conditions of this approval, EPA finds that the KeySpan Process is effective in removal of PCBs from Metallic Pipe or Metallic Piping and does not pose an unreasonable risk of injury to health or the environment.

This nationwide approval to decontaminate Metallic Pipe or Metallic Piping shall become effective on the date of signature by the Director of the National Program Chemicals Division of the Office of Pollution Prevention and Toxics and shall expire five years from signature.

DEFINITIONS

"Analytical data" means: (a) a formal report from a chemical analysis laboratory; or (b) appropriate chemical instrument printouts, controls, standards, written instrumental operating conditions, and written operating parameters. The assumptions at 40 CFR 761.50(a)(5) may be used in place of analytical data. Technical judgment or experience is not considered analytical data."

"Appropriate local jurisdiction" means the incorporated city where the KDU may be operated, or the county, if the KDU will be operated outside the boundary of an incorporated city.

"Authorized field supervisor" means personnel under the supervision of KeySpan who are contracted and trained in the operation of the KDU.

"Business hours" means 8:00 a.m. to 5:00 p.m. local time on weekdays except United States Government holidays.

"Cleaning Agent" means a 10% solution of terpene hydrocarbons in water.

"Day" means a calendar day, unless otherwise specified.

"Decommissioned" means the KeySpan PCB Decontamination Unit is taken permanently out of service. When this happens, Keyspan must notify the Chief, Fibers and Organics Branch at EPA Headquarters and the Regional PCB Coordinator for the EPA Region in which such KDU is decommissioned so that closure will take place.

"Decontamination" for the purpose of this document means removal of PCBs from Metallic Pipe or Metallic Piping to the point of reaching the standard, under 40 CFR 761.79(b)(3), which provides $\leq$10 micrograms/100 cm^2 as measured by a standard wipe test pursuant to 40 CFR 761.123 at locations selected in accordance with 40 CFR 761 subpart P.

"Disposal" means treating or transporting to a landfill, any type of PCB wastes generated during the KDU process.

"Duplicate analysis" means two gas chromatographic analyses of the analyte prepared from one wipe sample.

"Frequent site changes" means site changes at a rate of more than once per week.

"Job" means all KeySpan decontamination operations for a single customer within fifty road miles of a central location. A job may consist of KeySpan decontamination operations at several different sites for a single customer.

"KDU" means KeySpan PCB Decontamination Unit, which consists of tanks, pumps, piping, vacuum truck, and appurtenances.

"Lifetime exposure risk" means the risk to an average adult individual who is exposed to a stated average concentration of a toxic material daily over the course of a 70-year lifetime.

"Lost time injury" or "Lost workday injury" means an injury related to the operation of the KDU process which results in an employee not performing his/her normal assignments during the workday and/or any successive workday(s) following the day of the injury.

"Major modification" means any change to capacity, design, or efficiency of the KDU process, change of waste type, or any other changes significantly affecting overall performance or environmental impact.

"Metallic Pipe or Metallic Piping" means any piping constructed from metallic materials or including attached equipment integrated into that piping that is contaminated by PCBs.

"Minimal" with regard to an amount of PCB wastes means less than ten percent (10%) of total wastes treated.

"Operations" means the KDU process of removing PCBs, treating spent cleaning solutions on site, and sending off PCBs for disposal, including set up and take down of the KDU as well as actual treatment.

"OPPT/NPCD" means the Office of Pollution Prevention and Toxics; National Program Chemicals Division, Fibers and Organics Branch (7404T); (202) 566-0500; Facsimile (202) 566-0473.

"PCB" means polychlorinated biphenyls, as defined in 40 CFR 761.3.

"PCB release" and "PCB spill" have the same meaning as "spill" as defined in EPA's PCB Spill Cleanup Policy in 40 CFR 761.123.

"Process failure" means the inability of the KDU, after several attempts, to decontaminate PCBs from Metallic Pipe or Metallic Piping from 5000 micrograms/100 square centimeters to below 10 micrograms/100 square centimeters (See Condition 4).

"Site" means the geographically contiguous property unit (such as a single manufacturing plant) at which the KeySpan PCB decontamination operations are conducted. More than one pipe segment may be serviced at a single site.

"Site location" means a street address or a directional description which would allow a site to be found by an EPA inspector.

"Year" means 365 days.

CONDITIONS OF APPROVAL

1. Agency Approvals or Permits

Prior to commencing operations, KeySpan shall obtain any necessary Federal, State, or local permits or approvals. During the course of operations, KeySpan shall comply with all conditions and requirements of such permits or approvals. Copies of such permits shall be forwarded to the Chief, Fibers and Organics Branch (Mail Code 7404T), EPA Headquarters, 1200 Pennsylvania Avenue N.W., Washington, DC 20460.

This Approval does not shield KeySpan from all applicable Federal, State, and local regulations, ordinances, or consent decrees.

2. Authorized Use of the KeySpan PCB Decontamination Unit

KeySpan is authorized to use its PCB Decontamination Unit (KDU) and its non-thermal solvent soaking technology to clean Metallic Pipe or Metallic Piping. Decontamination criteria shall be according to either performance-based procedures as described in Condition 3 or measurement-based conditions as described in Condition 4 below. KeySpan is authorized to use its ((KDU) in the service centers listed in Appendix III.

3. Performance-Based Cleaning of Metallic Pipe or Metallic Piping

In Condition 2, the KDU is authorized to use its non-thermal solvent soaking technology to decontaminate Metallic Pipe or Metallic Piping, as shown in the field demonstration held during the week of September 26, 2005. The KDU was demonstrated to decontaminate the Metallic Pipe or Metallic Piping to levels below 10 micrograms per 100 square centimeters under specific operating conditions as shown below. The regulatory status of the decontaminated Metallic Pipe or Metallic Piping is described under Condition 5.

- Metallic Pipe or Metallic Piping is decontaminated by solvent soaking the pipe with cleaning agent, which is a 10% terpene hydrocarbon-based solution using the pumping equipment described in the Demonstration Test Report entitled, "Request for Approval Keyspan Alternative Decontamination Process," dated October 25, 2005. The total volume of cleaning solution applied to the pipe segment shall cover the pipe segments.

The decontamination process utilized in the Demonstration included the following parameters.

Wipe Sample Concentration	Times for soaking
2500 μg/100 cm^2	2hr 4hr
5000 μg/100 cm^2	2hr 4hr 6hr

Keyspan is authorized to clean Metallic Pipe or Metallic Piping at 2500 μg/100 cm^2 either (2) hours or (4) hours without doing a final wipe sampling in this performance-based process.

Keyspan is also authorized to clean Metallic Pipe or Metallic Piping at 5000 μg/100 cm^2 either 2, 4 or 6 hours without doing a final wipe sampling in this performance-based process.

4. Measurement-Based Cleaning of Metallic Pipe

KeySpan is only authorized to decontaminate using performance-based cleaning without final wipe sampling Metallic Pipe or Metallic Piping at a maximum value of 5000 micrograms/100 square centimeters. Should KeySpan desire to decontaminate pipes greater than 5000 micrograms/100 square centimeters, an initial wipe sample shall be taken at one end for each pipe to be decontaminated in the soaking tank. In addition, the time of soaking shall be recorded and a final wipe sample shall be taken adjacent to the initial wipe sample to verify the effectiveness of the decontamination process.

KeySpan shall take surface measurements by wipe sampling, and the wipe samples shall be chemically analyzed according to the procedures submitted in the demonstration test report dated October 28, 2005.

If the final cleanup sample is greater than 10 microgram per 100 square centimeters, then Condition 5(a) applies.

If the final cleanup sample is less than 10 microgram per 100 square centimeters, then Condition 5(b) applies.

If the final surface sampling after decontamination reveals that PCBs in the Metallic Pipe or Metallic Piping have not been adequately removed to levels below 10 ug/100 cm^2 after KDU repeated processing, the affected KDU shall cease operation for Metallic Pipe and Metallic Piping at or above the lowest concentration that resulted in the failure to achieve levels below 10 ug/100 cm^2. The affected KDU must cease operations for the Metallic Pipe or Metallic Piping that resulted in the failure to achieve levels below 10 ug/100 cm^2; such Metallic Pipe or Metallic Piping shall be taken out of the soaking tank and stored and/or disposed of in accordance with 40

CFR 761. KeySpan must dispose of the Metallic Pipe and Metallic Piping in question as if it contained PCBs at the level of the original fluid or wipe sample before KeySpan ever processed the Metallic Pipe or Metallic Piping. KeySpan must notify the Chief, Fibers and Organics Branch at (202) 566-0500, as well as the EPA Regional PCB Coordinator during the next business day, and file with each of them a written report within 7 days.

In accordance with Conditions 3 and 4, Keyspan may continue decontamination at concentrations below the concentration at which failure occurred.

Repeated KDU process failures are signs of process malfunction. Each failure must be reported so that EPA is able to maintain a complete accounting of working commercial KDUs and determine whether Keyspan needs to demonstrate decontamination at a higher concentration of terpene in water or a longer soaking time.

5. Disposal/Reuse of Decontaminated Material

Based on PCB surface concentration measurements, specified Metallic Pipe or Metallic Piping shall be placed into the disposal categories (a. - c.) below.

If Metallic Pipe or Metallic Piping has been decontaminated according to the measurement-based conditions described in Condition 4, then:

a. Metallic Pipe or Metallic Piping, removed from service and having surface concentrations greater than 10 ug/100 cm^2 as determined by the methodology described in Condition 4, are regulated for disposal. Such Metallic Pipe or Metallic Piping shall be stored and disposed in accordance with 40 CFR 761.65 and 761.60.

b. Metallic Pipe or Metallic Piping having surface level concentrations at or below 10 ug/100 cm^2 are not regulated for disposal, distribution in commerce (40 CFR 761.20 (c)(5)) or reuse 40 CFR 761.30(u)(1), except where uses are associated with food, feed, or drinking water (40 CFR 761.30(u)(1-)-(2)).

c. Failure to clean any regulated Metallic Pipe or Metallic Piping to the 10 ug/100 cm^2 level or below in a measurement-based procedure subjects the equipment to TSCA use, distribution in commerce, and disposal requirements based on the concentration of PCBs measured, as described in Condition 4. The procedures for determining whether or not the KDU process has met the specific surface level requirements for a measurement-based procedure are described in Condition 4.

6. Cleaning Agent Quality and Restrictions

Prior to decontamination, samples of the 10% terpene hydrocarbon-based solution (cleaning solution) from all parts of the KDU process shall be collected and analyzed using the

gas chromatography procedures specified in EPA approved procedures outlined in the following documents:

"Guidelines for PCB Destruction Permit Applications and Demonstration Test Plans for PCB Disposal by Non-Thermal Alternative Methods," US EPA, August 21, 1986;

"Recommended Analytical Requirements for PCB Data Generated On-Site During Non-Thermal PCB Destruction Tests," US EPA, March 19, 1986 (Draft);

"Quality Assurance and Quality Control Procedures for Demonstrating PCB Destruction in Filing for PCB Disposal Permit," US EPA, June 28, 1983 (Draft); and

"Interim Guidelines and Specifications for Preparing Quality Assurance Project Plans," QAMS-005/80, Office of Research and Development, US EPA, December 29, 1980.

For Metallic Pipe or Metallic Piping, the performance-based process demonstrated during the week of September 26, 2005 used cleaning solution containing less than 2 ppm PCBs at the beginning of the soaking process. Therefore, when cleaning Metallic Pipe or Metallic Piping, if the PCB concentration in process cleaning agent is 2 ppm or greater, then the cleaning solution shall not be further used for the performance-based cleaning of Metallic Pipe or Metallic Piping, but may be filtered to less than 2 ppm and reused.

Used cleaning solution containing 2 ppm PCBs or greater may be filtered and reused. If the cleaning agent or the carbon filter will be disposed of, it shall be sent to a disposal facility that complies with any applicable Federal, State, or local regulations.

Liquids at concentrations containing 2 ppm PCBs or greater may be transported from one site to another so long as they are transported and stored in U.S. Department of Transportation (USDOT) approved containers or tanks.

7. KDU Process Decommissioning

A KDU which has been decommissioned must also be reported immediately to the Chief, Fibers and Organics Branch at EPA Headquarters and to the Regional PCB Coordinator for the EPA Region in which such KDU is decommissioned.

8. KDU Process Waste Restrictions

All wastes generated by the KDU process (i.e., filter media, sludges, water or other effluents, rags, spill containment plastic sheeting, etc.) shall be treated or disposed of in accordance with 40 CFR 761, Subpart D.

9. KDU Process Monitoring/Recordkeeping

Provisions must be made to assure that the following information is suitably monitored and recorded for PCBs processed, such that materials harmful to health or the environment are not inadvertently released:

a. Name, address, and telephone number of the KDU operator and supervisor;

b. The name and business address of the person or firm whose PCB-containing Metallic Pipe or Metallic Piping is being processed;

c. A description of the Metallic Pipe or Metallic Piping including the diameter and estimated length of the Metallic Pipe or Metallic Piping in the system;

d. The estimated quantity and PCB concentration of the cleaning solution charged into Metallic Pipe or Metallic Piping;

e. The estimated quantity and PCB concentration of the spent cleaning solution, waste-water, and other treated materials produced during KDU processing/cleaning of each Metallic Pipe or Metallic Piping;

f. The date, time and duration of treatment for each Metallic Pipe or Metallic Piping;

g. A copy of the gas chromatogram to determine the final concentration of the cleaning solution or waste-water not sent for disposal; a copy of the gas chromatogram from wipe samples to determine the final surface wipe concentration of the decontaminated metal pipe or piping;

h. Records of the estimated quantity and PCB concentration of wastes produced, method of disposal, and location of the disposal facility for each waste; and

i. The certificate of destruction from the TSCA-permitted facility.

Disposal recordkeeping documents must be compiled within 60 days of the testing date, must be kept at one centralized location, and must be made available for inspection by authorized representatives of the EPA. Such documents shall be maintained for five years for each commercial job. KeySpan must also maintain the records required by 40 CFR 761.180(f). If KeySpan or its authorized agents terminate business, these records or their copies must be submitted to the Director, National Program Chemicals Division, Office of Pollution Prevention and Toxics.

10. PCB Releases

In the event KeySpan or an authorized field supervisor of the KDU believes, or has reason to believe, that a release of PCBs exceeding the reportable quantity has occurred from the KDU during processing, KeySpan must inform the appropriate EPA Region by telephone within 2 business hours from the time of discovery. Any spills of PCBs or other regulated fluids shall

be promptly controlled and cleaned up as provided in the KeySpan Spill Prevention Control and Countermeasure Plan, and in accordance with the requirements of the PCB Spill Cleanup Policy, 40 CFR 761.125. Cleanup shall begin immediately and must comply with the requirements of the PCB Spill Cleanup Policy, 40 CFR 761, Subpart G.

For spills of PCBs exceeding the reportable quantity, a written report describing the incident must be submitted to the appropriate EPA Regional PCB Coordinator, the Regional Administrator, and the Director, National Program Chemicals Division of OPPT by the close of business on the regular business day following the incident. In addition, a written report describing the spill, operations involved, cleanup actions, and changes in operation to prevent such spills in the future must be submitted to the appropriate EPA Regional PCB Coordinator, Regional Administrator, and Director, National Program Chemicals Division of the Office of Pollution Prevention and Toxics within 5 business days.

11. Safety and Health

KeySpan shall comply with all applicable safety and health standards, as required by Federal, State, and local regulations and ordinances. Any lost time injury reported to the Occupational Safety and Health Administration (OSHA) must be reported to the appropriate EPA Regional PCB Coordinator, Regional Administrator, and to the Director, National Program Chemicals Division of Office of Pollution Prevention and Toxics by the end of the next business day.

12. Facility Security

The KDU shall be secured with security measures such as a fence, alarm system, or barricades, as appropriate at each site, to restrict or control public access to the area. A list of KeySpan facilities in Regions I and II are listed in Appendix III.

13. Reporting

Any reports required by Conditions (1), (7), (9), (10), and (11) are to be submitted by telephone to the appropriate EPA Regional PCB Coordinator within the time frame specified. In addition, KeySpan shall file written reports with the Regional Administrator of the appropriate EPA Region, and the Director, National Program Chemicals Division of the Office of Pollution Prevention and Toxics within the time frame specified in the aforementioned conditions.

14. Personnel Training

KeySpan shall be responsible for ensuring that the supervisory personnel directly involved with the handling or disposal of PCB contaminated Metallic Pipe or Metallic Piping and KeySpan cleaning agent using the KDU process are familiar with the requirements of this approval. At a minimum, this must include:

a. The types of Metallic Pipe or Metallic Piping and KeySpan cleaning agent which may be treated using the KDU;

b. Basic recordkeeping requirements under this approval and the location of records;

c. Notification requirements;

d. Waste disposal requirements for KDU process and by-product wastes generated during the operation of the KDU process; and

e. Reporting requirements.

In this regard, KeySpan must maintain a copy of this approval on-site during the operations of its KDU, as well as a copy of the spill prevention and cleanup plan, and sampling and analytical procedures used to determine PCB concentrations.

15. Transport of Equipment and Wastes

PCB-contaminated equipment (i.e., pumps, tanks, etc.) and liquids on the KDU shall be marked in accordance with 40 CFR Section 761.40 and transported off site in accordance with the U.S. Department of Transportation, USDOT requirements of Title 49 Part 172. Such requirements include placarding the facility and labeling all PCBs. KeySpan must comply with vehicle placarding requirements unless process equipment (i.e., pumps, feed hoses, pipes etc.) on the KDU are decontaminated in accordance with the procedures described in KeySpan's permit application and test plan prior to transportation off-site.

Any waste streams from the process will be packaged in U.S. Department of Transportation (USDOT)-approved packaging containers. The containers will include appropriate liquid transport in bulk and/or drums of 55 gallon or 30 gallon size and/or 1 to 5 gallon carboys placed in an overpack 55 or 30 gallon drum with absorbent materials sufficient to absorb twice the volume of the liquids present, as appropriate. Absorbent wastes shall be packaged and handled according to the requirements for PCB-containing solids. The liquid and solid wastes will be disposed of according to the disposal requirements of 40 CFR 761.

16. Closure Plans, Closure Cost Estimates and Financial Assurance Requirements

As a condition of the approval for activities governing commercial storage and disposal of PCB wastes as specified in 40 CFR Part 761 Subpart D (referencing 40 CFR Part 264 Subpart H), including alternative decontamination and sampling methods for PCB materials as specified in 40 CFR § 761.79(h), the owner and operator must develop a written closure plan identifying steps that shall be taken to ensure the closure of alternative decontamination and sampling activities of a facility (ies), (or individual mobile units as identified in the plan) in a manner that eliminates the potential for post-closure releases of PCBs which may present an unreasonable risk to human health or the environment due to the activities under this approval. The TSCA provisions reference the provisions specified in 40 CFR Part 264 Subpart H. Financial assurance

must be provided for the activities under the approval, the proper closure of the sites and related support operations so as to ensure protection of human health and the environment.

Keyspan has provided the Financial Test (Alternative II), as required by 40 CFR § 264.143(f), as the mechanism to satisfy the financial assurance requirements for their approval request under 40 CFR § 761.79(h). Accordingly, Keyspan is to meet the following as a condition of this approval:

1. Keyspan must incorporate into its closure plan the regulatory provisions of 40 CFR § 761.65(g) governing "Financial assurance for closure", specifying the activities associated with alternative decontamination and sampling under 40 CFR § 761.79(h), for all sites delineated in the plan, including mobile units, and file with the Director, National Program Chemicals Division documentation of compliance with these requirements. It is requested that Keyspan provide a copy of its revised closure plan to this office within twenty working days from the date of this Approval.

2. For the sites delineated in the plan, including mobile units, Keyspan is to provide a separate cost breakdown for the TSCA-related activities and the RCRA-related activities. It is requested that Keyspan provide a copy of its cost breakdown within twenty working days from the date of this Approval.

3. Keyspan must submit annual updates to the Director, National Program Chemicals Division, Office of Pollution Prevention and Toxics, of the financial assurance of closure and liability coverage provision described herein.

4. Keyspan shall furnish the Director, National Program Chemicals Division, Office of Pollution Prevention and Toxics, within a reasonable time, any relevant information or documents which the Director may deem necessary to determine compliance and/or provide clarification on issues regarding Keyspan's financial mechanism, cost estimate or closure plan.

5. Keyspan shall report all instances of non-compliance with the financial responsibility requirements (40 CFR § 761.65(g)) or conditions of this approval in a timely manner. In addition, if Keyspan becomes aware that it has failed to submit any relevant facts to the approval application or submitted incorrect information, it shall promptly submit such facts or information.

17. KDU Process/Equipment Modifications

No major modifications may be made to the KDU design, as described in the application and demonstration plan for this approval, without written approval of the Director of the National Program Chemicals Division, Office of Pollution Prevention and Toxics.

18. Ownership Transfer

KeySpan must notify EPA at least 30 days before transferring ownership of the KDU process. KeySpan must also submit to EPA, at least 30 days before such transfer, a notarized affidavit signed by the transferee that states that the transferee will abide by KeySpan's EPA approval. Within 30 days of receiving such notification and affidavit, EPA will issue an amended approval substituting the transferee's name for KeySpan's name, or may require the transferee to apply for a new PCB decontamination approval. In the latter case, the transferee must abide by KeySpan's approval until EPA issues the new approval to the transferee. Should KeySpan fail to provide EPA with the required written documentation of the transfer or to provide this documentation within the specified time frame, this approval shall be null and void. In any instance, KeySpan must maintain its financial assurance mechanism in full force and effect until release in writing by the Director, National Program Chemicals Division.

19. Approval Severability

The conditions of this approval are severable, and if any provision of this approval or any application of any provision is held invalid, the remainder of this approval shall not be affected thereby.

20. Approval Expiration Date

This approval shall expire five years from signature of the Director, National Program Chemicals Division, Office of Pollution Prevention and Toxics. For an approval renewal, EPA may require additional information and/or testing of the KDU process. To continue the effectiveness of this approval pending EPA action on reissuance, KeySpan must submit a renewal request in writing to EPA at least 90 days, but not more than 180 days, prior to the expiration date of this approval.

21. Compliance with Federal Regulations

KeySpan shall comply with all applicable requirements of the Federal PCB Regulation, 40 CFR Part 761, in operation of the KDU. Particular note shall be given to:

a. 40 CFR, section 761.40 - marking;

a. 40 CFR, section 761.60 - disposal;

a. 40 CFR, section 761.65 - storage for disposal;

b. 40 CFR, section 761.79 - decontamination; and

c. 40 CFR, section 761, Subpart J - records and monitoring.

d. 40 CFR, section 761, Subpart K - PCB waste disposal - records and reports.

22. Only operation of the KDU process by KeySpan personnel has been demonstrated to the EPA. Therefore, this permit only applies to KDUs operated or directed by KeySpan personnel. KeySpan-manufactured KDUs under lease to other companies or persons are not approved for operation under this permit.

23 Before commencing with commercial operations at a service facility, Keyspan shall submit a 30-day Advance Notification form to the EPA HQ, EPA Region and the State in which the service center is located (Appendix II).

24. Previous Approvals

This approval shall supersede all previous U.S. EPA Headquarters and/or U.S. EPA Regional PCB decontamination approvals or amendments for the KDU process.

APPROVAL

1. Approval to dispose of PCBs is hereby granted to KeySpan Corporation (KeySpan) of Hicksville, New York, subject to the conditions expressed herein, and consistent with the materials and data included in the approval application filed by the company. EPA reserves the right to impose additional conditions or otherwise modify this approval when it has reason to believe that the continued operation of the KeySpan PCB Decontamination Unit (KDU) presents an unreasonable risk of injury to health or the environment or if from time to time EPA modifies the rules and regulations governing this approval. Any such proposed additional conditions shall be preceded by reasonable advance notice to KeySpan and opportunity for KeySpan to comment on the proposed modifications.

Any departure from the conditions of this approval or the terms expressed in the application must receive prior written authorization of the Director, National Program Chemicals Division of the Office of Pollution Prevention and Toxics. In this context, "application" shall be defined as all data and materials which have been received by EPA from KeySpan regarding the KDU process.

2. This approval to dispose of PCBs does not relieve KeySpan of the responsibility to comply with all applicable Federal, State, and local regulations. Violations of any applicable regulations may be subject to enforcement action, and may result in termination of this approval. This approval may be rescinded at any time for failure to comply with the terms and conditions herein, failure to disclose all relevant facts, or for any other reasons which the Director, National Program Chemicals Division, Office of Pollution Prevention and Toxics, deems necessary to prevent an unreasonable risk of injury to health or the environment.

3. KeySpan shall be responsible for the actions of any authorized KDU process employees when those actions are within the scope of operating or moving the equipment related to performance of the KDU process, and KeySpan shall assume full responsibility for compliance with all applicable Federal, State, and local regulations including, but not limited to, any advance or emergency notification and accident reporting requirements.

EPA does not take responsibility for any damage that the KeySpan cleaning agent might cause to any item of equipment as a result of using the KDU process.

4. EPA reserves the right for its employees or agents to inspect KeySpan PCB decontamination activities at any location or reasonable time.

8/13/07
Date

Maria J. Doa
Maria J. Doa, Ph.D.
Director
National Program Chemicals Division

APPENDIX I

TO THE KEYSPAN APPROVAL TO DECONTAMINATE OF POLYCHLORINATED BIPHENYLS

BACKGROUND

Section 6(e)(1)(A) of the Toxic Substances Control Act (TSCA) requires that EPA promulgate rules for the disposal of polychlorinated biphenyls (PCBs). The rules implementing section 6(e)(1)(A) are found in 40 CFR Part 761. Those rules require, among other things, that various types of PCBs and PCB Articles be disposed of in EPA-approved landfills (40 CFR 761.75), incinerators (40 CFR 761.70), high efficiency boilers (40 CFR 761.71), or by alternative methods (40 CFR 761.60(e)) that demonstrate a level of performance equivalent to EPA-approved incinerators or high efficiency boilers.

FINDINGS

1. KeySpan Corporation (KeySpan), of Hicksville, New York, has demonstrated its non-thermal solvent soaking technology, the KeySpan PCB Decontamination Unit (KDU), whereby contaminated Metallic Pipe or Metallic Piping is decontaminated to levels below 10 micrograms per 100 square centimeters (10 ug/100 cm^2).

2. The KeySpan decontamination process for Metallic Pipe or Metallic Piping includes the extraction and removal of PCBs by solvent soaking with a terpene-based cleaning agent.

3. Used cleaning agent is analyzed for PCB content and is either re-used if it contains a PCB concentration of less than 2 ppm, or, if it is greater than 2 ppm, it may be filtered by KeySpan for reuse or disposed of in a facility that complies with appropriate Federal, State, and local regulations.

4. The KDU is designed to prevent any release of PCBs to air, water, soils or other surfaces, and may consist of a piping, tank arrangement with an optional vacuum truck. The KDU was developed by KeySpan. From the results of the demonstrations conducted during the week of September 26, 2005, the decontamination process is effective in removing PCBs from:

a. Metallic Pipe or Metallic Piping to below 10 micrograms/100 square centimeter using performance-based cleaning.

Further details of the methods and equipment used in the cleaning of Metallic Pipe or Metallic Piping are included in the KDU process Demonstration Test Plan on file at EPA Headquarters.

6. The KDU is designed with shut-off valves at key locations and other safety features which will act to prevent spills into the environment.

7. The KDU is a closed system and does not emit harmful materials into the air, water, soils, or other surfaces. The permit application and process demonstration test plan state that the operators of the KDU and persons conducting sampling of the KDU use specified safety procedures and have proper protective clothing to minimize worker exposure.

8. Therefore, EPA finds that the operation of the KeySpan PCB decontamination method, as demonstrated to the EPA, does not pose an unreasonable risk of injury to health or the environment.

APPENDIX II

TO THE KEYSPAN APPROVAL TO DECONATIMATE POLYCHLORINATED BIPHENYLS

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SAMPLE KDU PROCESS 30-DAY ADVANCE NOTIFICATION FORM

Client Name:
Client Address:
Client Phone:

KeySpan Contact:
KeySpan Phone:

Type of PCB Decontamination Activity:

Amount and Type of PCB Material:

PCB Concentration Range:

Scheduled Time(s) and Date(s):

Contacts and Phone:

EPA - Washington, D.C.
Chief, Fibers and Organics Branch (7404T)
National Program Chemicals Division
US EPA
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
202-566-0500

State Agency

EPA Region

Local

One time Notification ONLY for each site where decontamination is used.

Site Locations:

APPENDIX III

KeySpan service centers to operate KDUs in EPA Region 2

BELLMORE OPERATIONS CENTER
2400 SUNRISE HIGHWAY
BELLMORE, NEW YORK 11710
NYD980648216

BRENTWOOD OPERATIONS CENTER
650 ISLIP AVENUE
BRENTWOOD, NEW YORK 11717
NYD980648133

BRIDGEHAMPTON OPERATIONS CENTER
1000 MONTAUK HIGHWAY
BRIDGEHAMPTON, NEW YORK 11932
NYD980648141

CANARSIE SERVICE STATION
8424 DITMAS AVENUE
BROOKLYN, NEW YORK 11236-1599
NY0000017186

GREENLAWN OPERATIONS CENTER
PULASKI ROAD
GREENLAWN, NEW YORK 11740
NYD980648158

GREENPOINT FACILITY
287 MASPETH AVENUE
BROOKLYN, NEW YORK 11211-1788
NYD006978795

HEWLETT OPERATIONS CENIER
455 MILL ROAD
HEWLETT, NEW YORK 11557
NYD980648166

HICKSVILLE OPERATIONS CENTER
175 EAST OLD COUNTRY ROAD
HICKSVILLE, NEW YORK 11801
NYD006866008

PATCHOGUE OPERATIONS CENTER
448 EAST MAIN STREET
PATCHOGUE, NEW YORK 11772
NYD980648182

ROSLYN OPERATIONS CENTER
250 WILLIS AVENUE
ROSLYN, NEW YORK 11576
NYD980648208

RIVERHEAD OPERATIONS CENTER
DOCTOR'S PATH
RIVERHEAD, NEW YORK 11901
NYD980648190

STATEN ISLAND SERVICE CENTER
200 GULF AVENUE
STATEN ISLAND, NEW YORK 10303
NY0000885939

KeySpan service centers to operate KDUs in EPA Region 3

BEVERLY OPERATIONS CENTER
44 RIVER ST
BEVERLY, MA 01915
MAD980731525

BRAINTREE OPERATIONS CENTER
39 QUINCY AVE
BRAINTREE, MA 02184
MAD980731541

COMMERICAL POINT LNG PLANT
220 VICTORY RD
DORCHESTER, MA 02122
MAD980520605

EVERETT PIPE YARD
17 ROVER ST
EVERETT, MA 02149
MP7814665412

LOWELL OPERATION YARD 775 DUTTON ST.
LOWELL, MA 01854
MAD982754434

MALDEN OPERATIONS CENTER
100 COMMERCIAL ST
MALDEN, MA 02148
MAD085616290

WALTHAM OPERATIONS CENTER
160 NEWTON ST
WALTHAM, MA 02154
MAD000007369

WEST ROXBURY OPERATIONS CENTER
201 RIVERMOOR ST
WEST ROXBURY, MA 02132
MAD980731533